

subjecting the fermented milk produced by the method of claim 1 to at least one of centrifugation and filter pressing to separate and recovery whey.

18. (New) A method for producing whey containing an angiotensin converting enzyme inhibitory peptide comprising:

subjecting the fermented milk produced by the method of claim 10 to at least one of centrifugation and filter pressing to separate and recover whey.

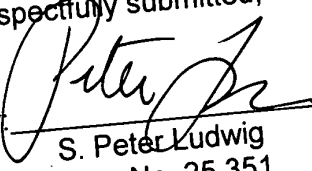
#### REMARKS

The title is amended to more particularly describe the subject matter that Applicant regards as their invention.

Claim 2 is cancelled. Claims 3-7 and 9 are amended to remove multiple dependency. These amendments broaden the scope of the claims and are made to avoid payment of fees for multiple dependent claims. Claim 9 is further amended to correct an obvious error. Claims 10-18 are new. No new matter is added as a result of the amendment.

A prompt official action on the merits of the claims is respectfully requested.

Respectfully submitted,

By:   
S. Peter Ludwig  
Reg. No. 25,351

DARBY & DARBY P.C.  
805 Third Avenue  
New York, New York 10022  
212-527-7700

EXPRESS MAIL CERTIFICATE

Date 7/11/01 Label No. 4706744688US

I hereby certify that, on the date indicated above, I deposited this paper or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner of Patents & Trademarks, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Name (Print)

Signature

File No.: 4703/OJ586USO

**DARBY & DARBY P.C.**  
805 Third Avenue  
New York, NY 10022  
212-527-7700

Date: July 11, 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: KITAMURA et al.

Serial No: To be assigned  
(U.S. National Phase of  
International Application No. PCT/JP00/00068  
Filed: 11 January 2000)

Filed: Concurrently herewith

For: METHOD FOR PRODUCING FERMENTED MILK CONTAINING  
ANGIOTENSIN CONVERTING ENZYME INHIBITORY PEPTIDE AND  
METHOD FOR PRODUCING WHEY (AS AMENDED)

**MARK UP TO ACCOMPANY PRELIMINARY AMENDMENT**

Hon. Commissioner of  
Patents and Trademarks  
Box PCT  
Washington, DC 20231  
Attn: DO/EO/US

Sir:

**IN THE SPECIFICATION:**

Amend the title as follows:

[PROCESS] METHOD FOR PRODUCING FERMENTED MILK CONTAINING  
ANGIOTENSIN CONVERTING ENZYME INHIBITORY PEPTIDE AND [PROCESS]  
METHOD FOR PRODUCING [MILK SERUM] WHEY

**IN THE CLAIMS:**

Amend claims 3-7 and 9 as follows:

3. (Amended) The method of claim 1 [or 2] wherein said milk is selected from the group consisting of cow's milk, goat's milk, sheep's milk, soy bean milk, skim milk, reconstituted milk, powdered mil, condensed milk and mixtures thereof.

4. (Amended) The method of claim 1 [or 2] wherein said fermented milk has a viscosity of not higher than 20 cp.

5. (Amended) The method of claim 1 [or 2] wherein said angiotensin converting enzyme inhibitory peptide is selected from the group consisting of Val-Pro-Pro, Ile-Pro-Pro, and mixtures thereof.

6. (Amended) The method of claim 1 [or 2] wherein said mixed material further contains a yeast.

7. (Amended) The method of claim 1 [ or 2] wherein said lactic acid bacteria contained in the mixed material comprises *Lactobacillus helveticus*.

[illegible][illegible]